

REMARKS

The Examiner's acknowledgment of Applicant's claim for foreign priority under 35 U.S.C. §119 and receipt of the certified copy of the priority document is noted with appreciation.

The present invention enables storing applicable data which are different for each user, such as the URL accessible to the portal site peculiar to the user and the communication fee data for enabling communication by the prepaid portable terminal, while maintaining the security. Therefore, the convenience for the user when using the portable terminal can be improved.

The disclosed and claimed invention facilitates the building of a portal site displaying only the links for the sites which are often accessed by the user and by making an access always to that site or by displaying such a site screen, it enables the user to easily access the target site. As shown in Figure 1, the data writing apparatus for a portable terminal memory according to the present invention comprises a portal site data providing device 2 for directly providing portal site data, including a portal site URL, to the portable terminal memory medium 11, which may be a SIM card of a GSM portable telephone 1. The apparatus further comprises a portal managing server 3 connected through a network N for managing the portal site data, user information provided from the portal site data providing device and identification data of the user stored in the portable terminal memory medium registered in a portal managing data base 31 of the portal managing server. A contents server 4 distributes contents selected by the user by building a website. By the associated operation of the portal site data providing device 2 and the portal managing server 3, the function of a data writing apparatus for a portable terminal memory medium 11 for storing the URL of the portal site to the portable terminal memory medium when the identification data of the user stored in the portable terminal memory medium of the portable terminal is registered in the portal managing server as a user registration data. The data reading/writing device has a function of reading out data stored in a memory medium

of a portable terminal and a function of writing, to the memory medium, an applicable data which is required for the portable terminal. A data collation device collates an identification data peculiar to a user of the portable terminal, which is read out from the memory medium 11 by the data reading/writing device, with a user registration data which is registered in advance, and for outputting a writing command to the data reading/writing device only when the data are consistent, wherein the data reading/writing device writes the applicable data to the memory medium on condition that there is an input of the writing command.

By employing such a configuration, the data required when the portable terminal 1 performs a prescribed action is written only after performing authentication for checking whether or not the identification data peculiar to the user is stored in the memory medium 11 of the portable terminal and is determined to be consistent. Thus, the data required to be used in association with the identification data can be surely stored in the memory medium 11 so that the user can surely receive services peculiar to the user using the recorded data later on. Further, it is not necessary to have others operate the data within the memory medium to store it, or it enables to suppress the user oneself to operate the data within the memory medium unnecessarily. Therefore, while maintaining the security, the necessary data can be stored only in the own terminal and the convenience for the user can be improved. Moreover, by using such apparatus, it is possible to easily record the data without operating the hard-to-input operation unit which is mounted to the portable terminal.

Claims 1 to 10 and 15 to 18 are pending. Claims 11 to 14 have been canceled, and new claims 15 to 18 have been added by this amendment. Original claim 1 has been amended to be dependent on new claim 15.

Claims 1 to 10, 13 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Laid Open Application JP 2002279325 of Ogawa et al. This rejection is respectfully traversed for the reason that Ogawa et al. neither shows, suggests or otherwise teaches the claimed invention.

Ogawa et al. disclose an electronic business transaction system in which a

cellphone 2 having an inserted SIM card 4 communicates with a host server 3. When performing an on-line business transaction, the host server 3 accesses a users' database 1 and collates the cellphone number and the SIM card identification information with the contents preregistered in the users' data base 1 and , only when the collation result matches each other, value added information is downloaded to the cellphone 2. What Ogawa et al. describe is the prior art identified as the problem set out on page 2, lines 17 et seq., in which the user of the cellphone, or portable telephone, operates the storage region of the SIM card through a communication carrier. Specifically, there is a risk that the data within the card may be altered or duplicated. If the subscription information of the user stored in the SIM card is copied, others can use it and the communication fee would be charged to the user whose data is copied. And while Ogawa et al. state that value added information is downloaded to the cellphone, there is no description in the English language abstract of what that information is and where in the cellphone it is downloaded. Moreover, there is no suggestion that the information which is downloaded is user selected information, as in the claimed invention. The most that can be said is that the downloaded information in Ogawa et al. is the result of an electronic business transaction initiated by the user of the cellphone.

Claims 8 and 9 were additionally rejected under 35 U.S.C. §103(a) as being unpatentable over Ogawa et al. in view of U.S. Patent Application Publication No. 2002/0086704 of Meindl et al. This rejection is also respectfully traversed for the reason that the combination of Ogawa et al. and Meindl et al. does not show, suggest or otherwise teach the claimed invention.

Claims 8 and 9 are directed to the embodiment wherein the memory medium is a noncontact medium, i.e., not a SIM card, and specifically, as recited in claim 9, an RFID tag. Ogawa et al. has been distinguished above. Meindl et al. is cited to show a communication device which is capable of contactless retrieval of control information stored in a data carrier; however, the combination of Ogawa et al. and Meindl et al. does not suggest storing applicable data selected by the user, as specifically recited in

the base claim 15.

Claims 1, 7 to 10, 13, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0125311 of Ijichi et al. This rejection is respectfully traversed for the reason that Ijichi et al. do not show, suggest or otherwise teach the claimed invention.

Ijichi et al. discloses an electronic-money collecting system which is capable of returning a lost IC card used as an "electronic purse" to the owner of the lost IC card or an institution issuing the lost IC card. Claim 14, on which the subject claims 1 and 7 to 10 are dependent, recites that "by associated operation of the portal site data providing device and the portal managing server functions as a data writing apparatus for a portable terminal memory medium for storing the URL of the portal site to the portable terminal memory medium when the identification data of the user stored in the portable terminal memory medium of the portable terminal is registered in the portal managing server as a user registration data". Nothing of the sort is even remotely hinted at by Ijichi et al.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1 to 10 and 15 to 18 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Lamont Whitham".

C. Lamont Whitham
Reg. No. 22,424

Whitham, Curtis, Christofferson & Cook, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190

Tel. (703) 787-9400
Fax. (703) 787-7557

Customer No.: 30743